

Applicants respectfully request reconsideration of the outstanding rejections for the reasons that follow.

Rejection Under §102 Addressed

Claims 1-21 are rejected under 35 U.S.C. § 102(b) as anticipated by Starzl et al (US Patent No. 5,542,431). The rejection is respectfully traversed with respect to claims 1-21. Starzl does not teach or suggest all the claim limitations found in claims 1, 11, 20 or 21. Claim 1 is a self-contained electronic estrus detection device for optimum breeding time calculation and indication. The device includes a housing for releasable placement on an animal and an electronic means operatively associated with the housing for detection and processing of information relating to the number, duration, and frequency of mounts on the animal. The electronic means calculates and indicates the optimum time to breed based on this information. All these features are maintained by the self-contained electronic estrus device on the animal. Starzl does not suggest or teach an electronic estrus detection device, which detects, processes and indicates optimum time to breed, all from a self-contained device on the target animal. Rather, Starzl recites a system and methodology wherein a transmitter module on the animal obtains and transmits data to a central receiver module (optional), which is forwarded to a computer module. The data received by the computer module is processed by dedicated software and a determination is made by the computer software on whether the heat cycle for a particular animal has been started. Identification information is transmitted with data from the transmitter module on the animal to reliably connect the data with the animal.

As such, Applicants respectfully request withdrawal of the rejection to claim 1 on these bases. As claims 2-10, 12, 13, 14, 18 and 19 depend directly or indirectly from claim 1, Applicant respectfully request withdrawal of the rejection to these claims as well. In addition claims 20 and 21 recite the self-contained electronic estrus detection device including an electronic means for detecting and processing information. As such, Applicants respectfully request withdrawal of the rejection to claims 20 and 21 for the same reasons that claim 1 is believed allowable.

Further, claim 11 also recites a self-contained electronic estrus detection device having an indicating means for indicating suspect estrus, confirmed estrus and optimum time to breed. As above, Starzl does not suggest or teach this self-contained estrus detection device. As such,

Applicants respectfully request withdrawal of the rejection to claim 11 and dependent claims thereto (claims 15, 16, and 17).


Summary

Claims 1-21 remain pending. In light of the foregoing amendments and remarks, it is believed that the application is in condition for allowance, prompt allowance is respectfully solicited.

This amendment is believed to be responsive to all points in the Office Action and is believed to put the case in condition for allowance. Should the Examiner have any remaining questions, he is encouraged to contact the undersigned attorney at the telephone number below to expeditiously resolve such concerns.

Please charge any additional fees or credit any overpayment to Deposit Account No. 04-1415.

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Paul J. Prendergast, Reg. No. 46,068
Attorney for Assignee
PH: 303-629-3400
DORSEY & WHITNEY LLP

USPTO Customer No. 20686